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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/188,702 08/13/98 CLEVER

E 5012-2

EXAMINER

QM12/0505

NORMAN E LEHRER
1205 NORTH KINGS HIGHWAY
CHERRY HILL NJ 08034

CARLSON, J

ART UNIT

PAPER NUMBER

3712

DATE MAILED:

05/05/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/188,702

Applicant(s)
Clever et al

Examiner
Jeffrey D. Carlson

Group Art Unit
3712



☒ Responsive to communication(s) filed on Feb 15, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 6-12 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 6-12 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Aug 13, 1998 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

1. This office action is in response to the amendment(s) filed 2/15/00.

Drawings

2. The drawing objections made in paper #8 have been deferred.

Claim Rejections - 35 USC § 102

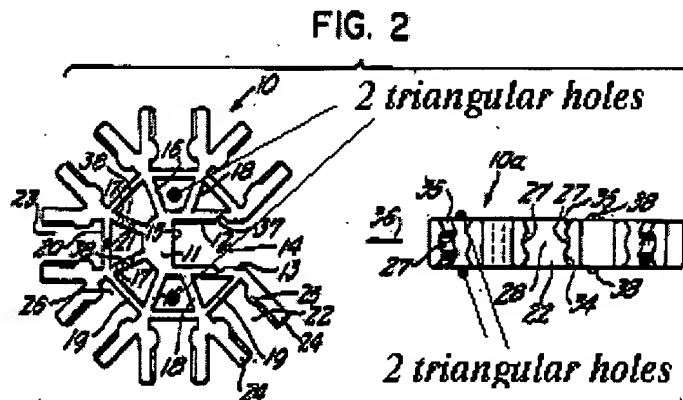
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

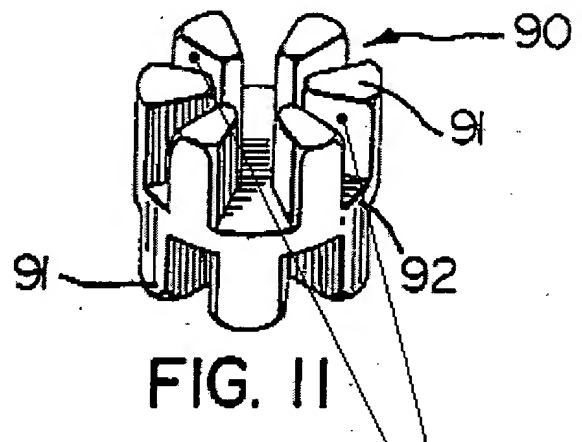
4. Claims 6-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Glickman (US5137486). Glickman figure 2 shows a plastic disc element having facing triangular openings.

These openings are inherently capable of being mated with a 2-finger connector, although this need not be taught by Glickman as it is not positively claimed. The triangular openings are arranged such that each



has one corner nearest each other. As seen on the left in figure 2, they are distinct, separated by a web. On the right in figure 2, they are connected by a passage. The openings on the right are taken to be holes inasmuch as applicant's type 2 connectors (25) in figure 2, apparently covered by claim 6.

5. Claims 6, 8-10 and 12 are alternatively rejected under 35 U.S.C. 102(b) as being anticipated by Ziegler (US4902259). Two connected triangular openings are provided in figure 11 which are opposite each other, each with one aligned corner. These openings are inherently capable of being mated with a 2-finger connector, although this need not be taught by Ziegler as it is not positively claimed.



2 triangular holes

Response to Arguments

6. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is


reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

Inquiries relating to the status of this application, or inquiries of a general nature (fees, etc) should be directed to the group receptionist whose telephone number is (703) 308-1148.

Inquiries concerning the merits of this application should be directed to Jeffrey D. Carlson, whose telephone number is listed below. The examiner can normally be reached on Monday-Thursday from 8:30 to 6:00. The examiner can also be reached on alternate Friday's.


Jeffrey D. Carlson
May 3, 2000
☎: (703)308-3402


Kien T. Nguyen
Primary Examiner